

## Remarks

Claims 1-9, 11, 12 and 14-17 and 20-23 are pending.

Claim 9 is amended.

Claim 8 is original.

Claims 1-7, 11, 12, 14-17 and 20-23 are as previously presented.

The application contains claim 1-9, 11, 12 and 14-17 and 20-23.

Claim 9 is amended to insert into line 3 the limitation that the flakes that make up the core have "high plane-parallelism and a defined thickness in the range of 30% of the average thickness".

Support is found in the Specification in the middle paragraph of page 15. Preparation of the  $\text{SiO}_2$  particles with high plane-parallelism from  $\text{SiO}_y$  flakes with high plane-parallelism and a defined thickness in the range of 30% of the average thickness is described in lines 19-23, the  $\text{SiO}_y$  flakes are defined in lines 6-9. The preparation of the silicon/silicon oxide particles is found in lines 23-27. Lines 27 through 29 state these  $\text{SiO}_2$  and silicon/silicon oxide flakes can be used interchangeable with the  $\text{SiO}_y$  flakes. Given this interchangeability, the characteristics of small thickness distribution of the thus prepared flakes is seen as inherent as it is made clear in the specification that the small thickness distribution of the instant  $\text{SiO}_y$  flakes is responsible for the enhanced characteristics of the instant pigments, see for example, page 14 lines 33-35.

No new matter is added.

## Rejections

Claims 9 and 20 are rejected under 35 USC 103(a) over JP 09-071417 which discloses a silica flake with a thickness of 0.1- 1 micron and an aspect ratio of 5-150.

Applicants respectfully traverse the rejections,

The examiner notes that while JP 09-071417 does not disclose the exact ranges found in the instant claims, there is overlap.

The instant amendments limit the flakes comprising the core of the pigments of instant claims 9 and 20 to a narrow distribution of thicknesses, that is  $\pm 30\%$  of the average thickness. The instant specification notes that high uniformity of the instant flakes of the pigment core can be obtained by the invention and on page 14 lines 33-35, for example, provides specific examples of this small distribution of particle sizes.

Applicants respectfully submit that JP 09-071417 does not suggest this limitation, does not suggest the advantages of using this narrow range of particle size distribution and does not provide a means whereby the pigments of instant claims 9 and 20 as presently defined can be obtained.

Applicants thus respectfully submit that the 35 USC 103(a) rejections of claims 9 and 20 are addressed and are overcome and kindly ask that the rejections be withdrawn and that claims 9 and 20 be found allowable along with the already allowed claims 1-8, 11, 12, 14-17 and 21-13.

Applicants respectfully submit that in light of the amendments and discussion above, all rejections are overcome and kindly ask that all rejections be withdrawn and claims 1-9, 11, 12, 14-17 and 20-23 be found allowable. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,



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